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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 9845

AMENDMENT OF EXECUTIVE ORDER NO. 9 OF JANUARY 17, 1873, RELATING TO THE HOLDING OF STATE OR LOCAL OFFICES BY FEDERAL OFFICERS AND EMPLOYEES

By virtue of the authority vested in me by section 1753 of the Revised Statutes of the United States (5 U. S. C. 631) and as President of the United States, Executive Order No. 9 of January 17, 1873, as amended, prohibiting with certain exceptions Federal officers and employees from holding state, territorial, county, municipal, or other local offices, is hereby further amended so as to permit employees of the Bureau of Reclamation with the approval of the Secretary of the Interior to accept appointments as constables or deputy sheriffs under the laws of the States or territories in which such employees may be on duty. *Provided*, That their services as such constables or deputy sheriffs shall be without compensation and shall not in any manner interfere or conflict with the performance of their duties as employees of the Bureau of Reclamation.

HARRY S. TRUMAN

THE WHITE HOUSE,
April 28, 1947.

[F. R. Doc. 47-4145; Filed, Apr. 28, 1947; 4:16 p. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS

DELEGATION OF AUTHORITY TO SUGAR RATIONING ADMINISTRATION

CROSS REFERENCE: For delegation of authority from the Secretary of Agriculture to the Sugar Rationing Administration of certain authority, powers and functions vested in the Secretary of Agriculture by the Sugar Control Extension Act of 1947, see Title 32, Chapter VII, Part 705, *infra*.

TITLE 10—ARMY WAR DEPARTMENT

Subtitle A—Organizations, Functions and Procedures

PART 2—ORGANIZATION, FUNCTIONS, AND PROCEDURES, OF AGENCIES DEALING WITH THE PUBLIC

SECRETARY OF WAR'S BOARD ON CORRECTION OF MILITARY RECORDS

Pursuant to the authority vested in the Secretary of War by section 207 of the Legislative Reorganization Act of August 2, 1946 and pursuant to the provisions of section 3 (a) (1) and (2) of the Administrative Procedure Act of June 11, 1946, the following §§ 2.20 to 2.29, pertaining to the Secretary of War's Board on Correction of Military Records, are hereby prescribed:

- Sec.
2.20 Secretary of War's Board on correction of military records.
2.21 Undue delay as bar to relief.
2.22 Application for relief.
2.23 Proceedings of Board.
2.24 Hearings.
2.25 Scope of inquiry.
2.26 Findings, conclusions and recommendations.
2.27 Disposition of proceedings.
2.28 Transmittal of records and action by The Adjutant General.
2.29 Changes in procedure of Board.

AUTHORITY: §§ 2.20 to 2.29, inclusive, issued under sec. 3, Pub. Law 404, 79th Cong., 60 Stat. 238, Pub. Law 601, 70th Cong., 60 Stat. 837.

§ 2.20 *Secretary of War's Board on correction of military records.* (a) The Secretary of War's Board on Correction of Military Records, hereinafter referred to as the Board, is an administrative agency established in the Office of the Secretary of War pursuant to the provisions of section 207 of the Legislative Reorganization Act of 1946 which authorizes the Secretary of War to correct any military record where in his judgment such action is necessary to correct an error or to remove an injustice.

(b) Section 131 of the Legislative Reorganization Act cited above, provides that no bill authorizing or directing the correction of a military record shall be received or considered in either the Senate or the House of Representatives.

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This legislative mandate gives to the Secretary of War the same jurisdiction as heretofore possessed by Congress in this respect.

§ 2.21 *Undue delay as bar to relief.* An application for the correction of a military record as provided in section 207 may be refused by the Board on the ground that there has been undue delay in filing the application.

§ 2.22 *Application for relief.* (a) The applicant for relief will submit a written request to the Secretary of War, Attention: Board on Correction of Military Records. The request should be made on WD AGO Form 562, which may be obtained from The Adjutant General, Attention: AGPI, Washington 25, D. C.

(b) The application shall include:

(1) The full name, Army serial number, grade and organization or assignment of the person whose military record is involved.

(2) A description of the military record sought to be corrected.

(3) A particular description of the alleged error or injustice sought to be corrected or removed.

(4) The reasons in support of the relief requested.

(5) The full name and address of counsel if the applicant desires to be so represented.

(6) A request for a hearing before the Board in Washington, D. C., if the applicant so desires.

(7) The full name and address of any witness or witnesses whose testimony the applicant may desire the Board to consider at the hearing. The nature of each witness' testimony, or the principal facts concerning which he will testify, should be indicated.

(8) Any statements or affidavits from persons other than the applicant in support of the request for relief.

(9) Signature of the applicant.

(c) The application shall be executed under oath or shall contain a provision that the statements submitted in the application, as part of the claim, are made with full knowledge of the penalty provided for making a false statement.

(d) Upon request of the Board, The Adjutant General will assemble the originals or certified copies of all available War Department records pertinent to the relief requested. Such records together with the application and all supporting documents will be transmitted to the Chairman of the Board.

§ 2.23 *Proceedings of Board.* (a) The Board will be convened at the call of the Chairman and will recess or adjourn at his order.

(b) The Board will assemble in open or closed session for the consideration and determination of cases presented to it. Cases in which no request for hearing is made by the applicant will be considered in closed session on the bases of all documentary evidence presented to it, and any briefs submitted by or on behalf of applicant.

(c) A reporter will record the proceedings of the Board in open session and the testimony taken before it.

§ 2.24 *Hearings.* (a) An applicant for the correction of a military record, upon request, shall be entitled to appear before the Board in open session, either in person or by counsel of his own selection. At the discretion of the Board, the applicant may present witnesses to testify in support of his claim. As used in §§ 2.20 through 2.29, the term "counsel" will be construed to include members of the Federal bar in good standing, the bar of any State in good standing, accredited representatives of veterans' organizations recognized by the Veterans' Administration under section 200 of the act of 29 June 1936 (Pub. Law 844, 74th Cong.) and such other persons who, in the opinion of the Board, are considered to be competent to present equitably and comprehensively the claim of the applicant for review. In no case will the expenses of the applicant or expenses or compensation of witnesses or counsel for the applicant be paid by the Government.

(b) In each case in which hearing is requested the Board will transmit to the applicant and to designated counsel for the applicant, if any, a written notice stating the time and place of hearing. Such notice will be mailed at least 15

days prior to the date of hearing to the applicant and his counsel, if any. It will be the responsibility of the applicant to notify his witnesses, if any. The applicant may waive such time limit and an earlier date may be set by the Board. The record will contain evidence that written notice was given the applicant and his counsel, if any, and the time and manner thereof.

(c) An applicant who requests a hearing and who, after being duly notified of the time and place of hearing, fails without cause to appear at the appointed time, either in person or by counsel, shall be deemed to have waived his right to be present, and the Board will have authority to proceed with the consideration and determination of the case.

(d) The hearing will be conducted so as to insure a full and fair inquiry. Neither the applicant nor his counsel will have access to any classified papers or reports of investigation or papers related thereto or any document received from the Federal Bureau of Investigation. When it is necessary to acquaint the applicant with the substance of a document, such as above described, the Director of Intelligence, WDGS, or other appropriate official, on the request of the Board, will prepare a summary of, or extract from, the document deleting all references to sources of information and other matter the disclosure of which, in his opinion, would be detrimental to the public interest. Such summary then may be made available without classification to the applicant or his counsel.

(1) The Board will not be limited by the restrictions of common law rules of evidence.

(2) In order to justify correction of a military record, it is incumbent on the petitioner to show to the satisfaction of the Board, or it must otherwise satisfactorily appear, that the alleged entry or omission in the record was in error or unjust under directives, standards, administration, and practice either existing at the time, or subsequently changed in the petitioner's favor, effective retroactively. The directives, standards, administration, and practice in §§ 2.20 through 2.29 contemplated are those stated in statutes, regulations, manuals, directives of the War Department and other appropriate authority, together with interpretations thereof by the courts, the Attorney General, the Comptroller General and of The Judge Advocate General.

(3) The testimony of witnesses will be under oath administered by the presiding officer or by affidavit. If a witness testifies in person he will be subject to examination by members of the Board.

(4) The Board may continue a hearing on its own motion. A request for continuance by or on behalf of the applicant may be granted by the Board if a continuance appears necessary to insure a full and fair hearing.

(5) The Board may, at its discretion and for good cause shown, permit an applicant to withdraw his application without prejudice at any time before the Board makes its final recommendation.

§ 2.25 *Scope of inquiry.* (a) Unless directed by the Secretary of War, the

Board shall not review any case wherein final action has been taken by the President of the United States, the Secretary, the Under Secretary, or the Assistant Secretary of War. No application will be considered until the applicant has exhausted all remedies afforded him by existing law or regulations.

(b) It shall be adequate ground for denial of any application that effective relief cannot be granted or that a sufficient basis for review has not been established.

(c) The right to apply to the Board for relief shall not operate as a stay of any proceedings taken against the person involved.

§ 2.26 *Findings, conclusions, and recommendations.* (a) The Board will make findings in writing in each case. The findings and conclusions of a majority of the Board will constitute the findings and conclusions of the Board.

(b) In case of a disagreement between members of the Board a minority report may be submitted, either as to the findings, or to the recommendations, or to both. The reasons for the minority report will be clearly stated.

(c) The Chairman of the Board will, in the name of the Board, recommend to the Secretary of War such action as may be necessary to carry into effect the determinations of the Board.

§ 2.27 *Disposition of proceedings.* (a) When the Board has concluded its proceedings in any case, the Board will prepare a complete record thereof. Such record will include the application for relief; a transcript of the hearing, if any; affidavits, papers, and documents considered by the Board; all briefs and written arguments filed in the case; the report of the examiner, if any; the findings and conclusions of the Board and its recommendation for corrective action; any minority report prepared by a dissenting member of the Board; and all other papers and documents necessary to reflect a true and complete history of the proceedings. The record so prepared will be signed by the Chairman as being true and complete.

(b) All records of proceedings of the Board in closed session will be confidential.

§ 2.28 *Transmittal of records and action by The Adjutant General.* Upon the approval of the Secretary of War, the record of proceedings and recommendations in each case will be transmitted to The Adjutant General or other proper authority for appropriate War Department action. The Adjutant General will perform such administrative acts as may be necessary, and thereafter will notify the applicant and his counsel, if any, of the action taken. Written notice specifying the action taken and the date thereof will be transmitted by The Adjutant General to the Chairman of the Board.

§ 2.29 *Changes in procedure of Board.* The Board may initiate recommendation for such changes in procedure as established herein as may be deemed necessary for the proper functioning of the

Board. Such changes will be subject to the approval of the Secretary of War.

[WVD Memo 400-20-2, April 17, 1947]

[SEAL] EDWARD F WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 47-4088; Filed, Apr. 29, 1947; 8:55 a. m.]

Chapter V—Military Reservations and National Cemeteries

PART 507—SERVICE CLUBS, HOSTESSES AND LIBRARIANS

SERVICE UNIFORMS

In § 507.21 amend paragraph (a) and revoke paragraph (b) as follows:

§ 507.21 *Service uniforms; general*—
(a) *In continental United States, and in oversea commands.* The hostess-librarian service uniform will be worn in the continental United States and in oversea commands only by members of the Army Hostess and Librarian service except as provided in (c) of this section.

(b) *In oversea theaters, departments, and base commands.* [Revoked]

[AR 600-36, 25 Feb. 1944 as amended by WD Cir. 95, Apr. 11, 1947] (R. S. 161, 5 U. S. C. 22)

[SEAL] EDWARD F WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 47-4090; Filed, Apr. 29, 1947; 8:57 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

PART 501—AIRCRAFT REGISTRATION CERTIFICATES

Part 501 of the regulations of the Administrator of Civil Aeronautics was last revised on February 10, 1943. Since that time experience has disclosed the necessity for again revising this part by making a few minor changes. It appearing that:

This part, as herein revised, (including these minor changes) was published in proposed form in the FEDERAL REGISTER (12 F. R. 1247) on February 22, 1947; all interested persons, pursuant to such publication, were given an opportunity to submit written data, views, or arguments for consideration in connection with this proposed revision; all such data, views, and arguments submitted by interested persons were considered in the final preparation of the revision of this part which, in its present form as compared to its proposed form previously published in the FEDERAL REGISTER, contains changes of only a minor nature which will not impose any burden upon interested persons; the persons affected by this part (as herein revised) will be greatly benefited by its being made effective without delay in

view of the foregoing, sufficient notice and public procedure have been afforded to interested persons, and further notice or public procedure would serve no purpose other than to delay the issuance of the revision of this part of the regulations of the Administrator which it is in the public interest and benefit to adopt at this time. And finding that:

Further notice and public procedure provided for in sections 4 (a) and (b) of the Administrative Procedure Act is unnecessary with respect to the revision of this part; and that good cause exists to declare this part (as herein revised) effective immediately pursuant to section 4 (c) of that act.

Now therefore, acting pursuant to the authority vested in me by sections 308 and 501 of the Civil Aeronautics Act of 1938, as amended (52 Stat. 973, 986, 1005, 54 Stat. 1233, 1235, 1236, 49 U. S. C. 401, 458, 521) I hereby revise Part 501 of the regulations of the Administrator of Civil Aeronautics to read as follows:

Sec.	
501.0	Basis and purpose.
501.1	Scope.
501.2	Application.
501.3	Issuance of registration certificate.
501.4	Effective date.
501.5	Transferability.
501.6	Duration.
501.7	Display.
501.8	Invalidation.
501.9	Surrender.
501.10	Notice of change of address.

AUTHORITY: §§ 501.0 to 501.10, inclusive, issued under 52 Stat. 973, 986, 1005, 54 Stat. 1233, 1235, 1236, 49 U. S. C. 401, 458, 521.

§ 501.0 *Basis and purpose.* The purpose of the regulations in this part is to prescribe the regulations under which persons may register aircraft in accordance with the requirements of section 501 of the Civil Aeronautics Act of 1938, as amended. The basis for this part is found in sections 308 and 501 of the Civil Aeronautics Act of 1938, as amended.

§ 501.1 *Scope.* Except as provided in Part 502 of this chapter with respect to Dealers' Aircraft Registration Certificates, the requirements for aircraft registration certificates shall be as prescribed in this part.

§ 501.2 *Application.* Application for the registration of an aircraft shall be made upon the applicable form prescribed (and furnished) by the Administrator.

§ 501.3 *Issuance of registration certificate*—(a) *New or previously unregistered aircraft.* A registration certificate will be issued by the Administrator for aircraft not previously registered under the provisions of the Civil Aeronautics Act of 1938, as amended: *Provided*, That the applicant: (a) Mails or delivers a duly executed application for registration to the Administrator¹ accompanied by the

¹ Effective November 15, 1946, the Administrator issued a new Form ACA 500 with complete instruction for the execution of each part on the back of the form. Each transfer of aircraft ownership effected subsequent to November 15, 1946, and registration of the aircraft in the new owner's name will be accomplished by using the new Form ACA 500.

required registration fee;² (b) certifies that applicant is a citizen of the United States;³ and (c) submits with the application proof satisfactory to the Administrator that the applicant is the owner of such aircraft.

(b) *Previously registered aircraft.* A registration certificate will be issued by the Administrator for aircraft previously registered under the provisions of the Civil Aeronautics Act of 1938, as amended, if the applicant: (a) Mails or delivers a duly executed application for registration to the Administrator¹ accompanied by the required registration fee; (b) certifies that applicant is a citizen of the United States;³ and (c) submits with the application for registration a conveyance which meets the requirements prescribed in Part 503 of regulations of this chapter, evidencing applicant's ownership of the aircraft; and (d) the conveyance submitted with the above application establishes in the recordation system of the Administrator, title to the aircraft in the applicant: *Provided*, That this requirement shall not be applicable to contracts of conditional sale in which the seller is the recorded owner of the aircraft.

§ 501.4 *Effective date.* An aircraft will be deemed to be registered upon the date the documents required by § 501.3 (a) and (b) whichever is applicable, are mailed or delivered to the Administrator.

§ 501.5 *Transferability.* A registration certificate is not transferable.¹

§ 501.6 *Duration.* Upon application for registration made upon the prescribed form, an aircraft may be operated for a period of sixty (60) days pending registration by the Administrator.¹ The registration and the certificate is-

¹ See footnote on p. 2802.

Registration fee. Section 651.31 (c) (1) of the regulations of the Administrator of Civil Aeronautics reads as follows:

(1) Effective November 15, 1946, aircraft registration other than Dealers' Aircraft Registration will be accomplished by the use of Form ACA 500. This form contains three parts: Part A, Registration Certificate, Part B, Application for Registration, and Part C, Bill of Sale.

(i) *Application and fee.* The applicant for such registration certificate will execute the original and duplicate of Part A and Part B, retain the original of Part B in the aircraft as a temporary registration for 60 days, and mail all duplicates of Parts A, B, and C together with the original of Part A and a registration fee of \$4.00 to the Director, Aircraft and Components Service, Attention: Certification and Recordation Section, Civil Aeronautics Administration, Washington 25, D. C.

² As defined by section 1 (13) of the Civil Aeronautics Act of 1938, as amended, "Citizen of the United States" means (a) an individual who is a citizen of the United States or of one of its possessions, or (b) a partnership of which each member is such an individual, or (c) a corporation or association created or organized under the laws of the United States or of any State, territory or possession of the United States, of which the president and two-thirds or more of the board of directors and other managing officers thereof are such individuals and in which at least 75 per centum of the voting interest is owned or controlled by persons who are citizens of the United States or of one of its possessions."

sued by the Administrator pursuant thereto shall remain in effect indefinitely unless suspended or revoked: *Provided*, That such registration and certificate shall immediately expire on the date: (a) The aircraft is registered under the laws of any foreign country; or (b) the registration of the aircraft is cancelled at the written request of the owner; or (c) the aircraft is totally destroyed or scrapped; or (d) the ownership of the aircraft is transferred.

§ 501.7 *Display.* The registration certificate issued for any aircraft shall be carried at all times in such aircraft and shall be presented upon request of any duly authorized representative for the Administrator,² or any state or municipal official charged with enforcing local laws or regulations involving Federal compliance.

§ 501.8 *Invalidation.* Any registration of an aircraft shall be null and void if at the time of registration: (a) The aircraft was registered under the laws of any foreign country; (b) the person registered as owner was not the true and lawful owner of the aircraft; (c) the person registered as owner was not a citizen of the United States; or the interest of such person in the aircraft was created by any transaction not entered into in good faith, but for the purpose of avoiding, with or without the knowledge of the registered owner, the provision of the Civil Aeronautics Act of 1938, as amended, prohibiting the registration of an aircraft in the name of a person not a citizen of the United States.

§ 501.9 *Surrender.* Upon the suspension, revocation, expiration or invalidation of a registration certificate, the owner of the aircraft shall, upon request, surrender such certificate to any authorized representative of the Administrator.

§ 501.10 *Notice of change of address.* The registered owner of any aircraft shall notify the Administrator immediately of any change of address.

This part as revised herein shall become effective May 1, 1947.

[SEAL] T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 47-4071; Filed, Apr. 23, 1947; 8:46 a. m.]

PART 502—DEALERS' AIRCRAFT REGISTRATION CERTIFICATES

Part 502 of the regulations of the Administrator of Civil Aeronautics was originally made effective on November 15, 1946. Since that date it has become necessary to revise this part in order to grant to bona fide distributors and dealers of used aircraft the same privilege to obtain and utilize dealers aircraft registration certificates as was granted to manufacturers, distributors and dealers of new aircraft under the original Part 502. It appearing that:

This part, as herein revised, was published in proposed form in the FEDERAL REGISTER (12 F. R. 1248) on February 22, 1947; all interested persons, pursuant to such publication, were given an opportunity to submit written data, views, or

arguments for consideration in connection with this proposed revision; all such data, views, and arguments submitted by interested persons were considered in the final preparation of the revision of this part which, in its present form as compared to its proposed form previously published in the FEDERAL REGISTER, contains changes of only a minor nature which will not impose any burden upon interested persons; the persons affected by this part (as herein revised) will be greatly benefited by its being made effective without delay; in view of the foregoing, sufficient notice and public procedure have been afforded to interested persons, and further notice or public procedure would serve no purpose other than to delay the issuance of the revision of this part of the regulations of the Administrator which it is in the public interest and benefit to adopt at this time. And finding that:

Further notice and public procedure provided for in sections 4 (a) and (b) of the Administrative Procedure Act is unnecessary with respect to the revision of this part, and that good cause exists to declare this part (as herein revised) effective immediately pursuant to section 4 (c) of that act.

Now therefore acting pursuant to the authority vested in me by sections 303, and 501 of the Civil Aeronautics Act of 1938 as amended (52 Stat. 973, 926, 1005, 54 Stat. 1233, 1235, 1236; 49 U. S. C. 401, 458, 521) I hereby revise Part 502 of the regulations of the Administrator of Civil Aeronautics to read as follows:

- Sec.
- 502.1 Basis and purposes.
- 502.2 Application.
- 502.3 Requirements.
- 502.4 Limitations.
- 502.5 Rules.
- 502.6 Notice.

AUTHORITY: §§ 502.1 to 502.6, inclusive, issued under 52 Stat. 973, 935, 1005, 54 Stat. 1233, 1235, 1236, 49 U. S. C. 401, 458, 521.

§ 502.1 *Basis and purposes.* The purposes of the regulations in this part are: (a) To prescribe regulations for the registration of aircraft by persons engaged in the business of manufacturing, distributing or selling of aircraft, (b) to facilitate the operation, demonstration, and merchandising of aircraft moving in the ordinary trade channels from the manufacturer, distributor, or dealer to the ultimate purchaser without imposing upon the manufacturer, distributor, or dealer the burden of obtaining an individual registration certificate for such aircraft with each transfer of title as required under the registration provisions of Part 501 of this chapter, and (c) to permit manufacturers to conduct required production flight tests. A dealer's aircraft registration certificate is an alternate form for the registration of civil aircraft from that prescribed by Part 501. Persons engaged in the business of manufacturing, distributing or selling aircraft, upon application, may obtain one or more dealers' aircraft registration certificates issued under the provisions of this part. The basis for this part is found in sections 303 and 501 of the Civil Aeronautics Act of 1933 as amended.

§ 502.2 *Application.* Application for a dealers' aircraft registration certificate shall be made upon a form prescribed by the Administrator and shall be accompanied by the required registration fee.¹

§ 502.3 *Requirements.* To be eligible for a dealers' aircraft registration certificate an applicant shall be a citizen of the United States² with an established place of business located in the United States or any territory or possession of the United States, engaged in the following activities:

- (a) The manufacture of aircraft, or
- (b) The distribution or sale of new aircraft under authority of a franchise, license, letter of authority, agreement, or other arrangement from the manufacturer or his authorized agent, or
- (c) The distribution or sale of used aircraft to ultimate purchasers through ordinary trade channels.

§ 502.4 *Limitations.*—(a) *Operation.*

(1) A dealers' aircraft registration certificate shall be valid for the operation of an aircraft only by a person to whom such certificate was issued or by his duly authorized agent or employee.

(2) A dealers' aircraft registration certificate is valid only for an aircraft owned by a person to whom such certificate was issued and which is being operated, (i) in the ordinary trade channels between any two of the following persons: The manufacturer, the distributor, the dealer, or the purchaser from any of such persons, (ii) for demonstration purposes necessary to the sale of such aircraft, or (iii) to conduct required production flight tests.

Transfer of ownership. Whenever the ownership of an aircraft is transferred to

¹ Registration fee. Section 651.31 (c) (2) (i) of this chapter reads as follows:

(i) *Application and fee.* Application is made on a form, "Application for Issuance of Dealers' Aircraft Registration Certificate(s)" (ACA-1706) which requires a statement of the citizenship of the dealer and certain data as to his status as a bona fide dealer in aircraft. An application containing current data must be submitted each time certificates are requested and may cover as many certificates as are desired at that time. This application is obtained from, and is submitted to, the Aircraft and Components Branch of the Regional Office for the area in which the applicant's business is located. A fee of \$5.00 is charged for the first certificate, and \$1.00 for each additional or subsequent certificate, issued to the same dealer. Certificates are valid for twelve months from date of issuance. Duplicates will not be issued.

² As defined by section 1 (13) of the Civil Aeronautics Act of 1938 as amended, "Citizen of the United States" means (a) an individual who is a citizen of the United States or of one of its possessions, or (b) a partnership of which each member is such an individual, or (c) a corporation or association created or organized under the laws of the United States or of any State, territory, or possession of the United States of which the president and two-thirds or more of the board of directors and other managing officers thereof are such individuals and in which at least 75 per centum of the voting interest is owned or controlled by persons who are citizens of the United States or of one of its possessions."

a person who is not the possessor of a valid dealers' aircraft registration certificate, the purchaser shall make application for registration of the aircraft in his name in accordance with the provisions of Part 501 of this chapter prior to the operation of the aircraft.³

§ 502.5 *Rules.*—(a) *Display.* The dealers' aircraft registration certificate shall be carried in the aircraft when operated by the person to whom the certificate was issued, or by his authorized agent or employee.

(b) *Duration.* A dealers' aircraft registration certificate shall expire one year from the date of issuance thereof.

(c) *Transferability.* A dealers' aircraft registration certificate is not transferable.

§ 502.6 *Notice.* The holder of a dealers' registration certificate shall notify the Administrator immediately of any change which affects his status as a citizen of the United States as defined in section 1 (13) of the Civil Aeronautics Act of 1938, or other change of the conduct of his business which affects his eligibility for a dealers' aircraft registration certificate.

This part as revised herein shall become effective May 1, 1947.

[SEAL] T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 47-4072; Filed, Apr. 29, 1947;
8:47 a. m.]

PART 503—RECORDATION OF AIRCRAFT OWNERSHIP

Part 503 of the regulations of the Administrator of Civil Aeronautics was adopted on February 10, 1943. Since that time experience has disclosed the necessity for revising this part by making a few minor changes. It appearing that:

This part, as herein revised (including these minor changes) was published in proposed form in the FEDERAL REGISTER (12 F. R. 1249) on February 22, 1947; all interested persons, pursuant to such publication, were given an opportunity to submit written data, views, or arguments for consideration in connection with this proposed revision; all such data, views, and arguments submitted by interested persons were considered in the final preparation of the revision of this part which, in its present form as compared to its proposed form previously published in the FEDERAL REGISTER, contains changes of only a minor nature which will not impose any burden upon interested persons; the persons affected by this part (as herein revised) will be greatly benefited by its being made effective without delay in view of

³ Upon the transfer of the ownership of the aircraft to a person who is not the possessor of a valid dealers' registration certificate, the parties to the sale will execute the new form ACA 500 in accordance with the instructions on the reverse side thereof. The portion marked "Part B" shall be retained in the aircraft and will entitle the purchaser to operate the aircraft for 60 days pending registration in his name by the Administrator.

the foregoing, sufficient notice and public procedure have been afforded to interested persons, and further notice or public procedure would serve no purpose other than to delay the issuance of the revision of this part of the regulations of the Administrator which it is in the public interest and benefit to adopt at this time. And finding that:

Further notice and public procedure provided for in sections 4 (a) and (b) of the Administrative Procedure Act is unnecessary with respect to the revision of this part, and that good cause exists to declare this part (as herein revised) effective immediately pursuant to section 4 (c) of that act.

Now therefore acting pursuant to the authority vested in me by sections 308 and 503 of the Civil Aeronautics Act of 1938 as amended (52 Stat. 973, 986, 1006, 54 Stat. 1233, 1235, 1236; 49 U. S. C. 401, 458, 523) I hereby revise Part 503 of the regulations of the Administrator of Civil Aeronautics to read as follows:

Sec.

503.1 Basis and purpose.

503.2 Definitions.

503.3 Eligibility of conveyances.

AUTHORITY: §§ 503.1 to 503.3, inclusive, issued under 52 Stat. 973, 986, 1006, 54 Stat. 1233, 1235, 1236, 49 U. S. C. 401, 458, 523.

§ 503.1 *Basis and purpose.* The purpose of the regulations in this part is to prescribe regulations for recordation of conveyances affecting the title to, or interest in, any aircraft registered under the provisions of section 501 of the Civil Aeronautics Act of 1938, as amended, (52 Stat. as amended; 49 U. S. C. 521) and of Part 501 or Part 502 of this chapter. The basis for this part is found in sections 308 and 503 of the Civil Aeronautics Act of 1938, as amended.

§ 503.2 *Definitions.* As used in this part, "conveyance" means a bill of sale, contract of conditional sale, mortgage, assignment of mortgage, or other instrument affecting title to, or interest in, aircraft.

§ 503.3 *Eligibility of conveyances.* A conveyance shall be eligible for recordation only if:

(a) It is executed upon the form prescribed by the Administrator for such type of conveyance, or upon a form deemed by the Administrator to be its equivalent; and

(b) It is accompanied by a duly executed application for registration and the required registration fee, and complies with the other provisions of either § 501.3 (a) or (b) of this chapter, whichever is applicable: *Provided*, That this paragraph shall not apply to conveyances affecting an interest in, but not title to, the aircraft; and

(c) It affects an aircraft currently registered under the terms of the Civil Aeronautics Act of 1938, as amended; and

(d) It states the interest in the aircraft of the person by whom such conveyance is made or given, or in the case of a contract of conditional sale, the interest of the vendor; and, except in cases where the conveyor is the record title holder of such aircraft in the records of the Administrator, it is accompanied by a bill or bills of sale or similar instru-

ment or instruments establishing title to such aircraft in the conveyer; and

(e) It states the interest transferred by the conveyance; and

(f) It is accompanied by the required recordation fee:¹ *Provided*, That this paragraph shall not apply to any conveyance accomplished by a bill of sale or similar instrument transferring title to an aircraft to the purchaser; and

(g) It is acknowledged before a Notary Public or other officer authorized by law of the United States, or a State, Territory, or possession thereof, or the District of Columbia, to take acknowledgment of deeds.

This part as revised herein shall become effective May 1, 1947.

[SEAL] T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 47-4073; Filed, Apr. 29, 1947;
8:47 a. m.]

PART 651—PROCEDURE OF THE CIVIL AERONAUTICS ADMINISTRATION

MISCELLANEOUS AMENDMENTS

Acting pursuant to the authority vested in me by the Civil Aeronautics Act of 1938, as amended (52 Stat. 986-1005, 54 Stat. 1233, 1235, 1236; 49 U. S. C. 458, 521) and in accordance with the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d sess.) I hereby amend Part 651, Procedure of the Civil Aeronautics Administration, as follows:

1. By amending § 651.31 (c) (11 F. R. 177A-321) to read as follows:

§ 651.31 *Aircraft certificates.* * * *

(c) *Aircraft registration certificates.* An aircraft registration certificate is conclusive evidence of the nationality of the aircraft for international purposes, but not in any proceeding under the laws of the United States. The registration of the aircraft by the Civil Aeronautics Administration is not evidence of ownership in any proceeding in which ownership by a particular person is or may be, in issue.

(1) Effective November 15, 1946, aircraft registration other than Dealers' Aircraft Registration will be accomplished by the use of Form ACA 500. This form contains three parts: Part A, Registration Certificate, Part B, Application for Registration, and Part C, Bill of Sale.

(i) *Application and fee.* The applicant for such registration certificate will execute the original and duplicate of

Part A and Part B, retain the original of Part B in the aircraft as a temporary registration for 60 days, and mail all duplicates of Parts A, B, and C together with the original of Part A and a registration fee of \$4.00 to the Director, Aircraft and Components Service, Attention: Certification and Recordation Section, Civil Aeronautics Administration, Washington 25, D. C.

Effective November 15, 1946, Certificates of Ownership (Form ACA 1160) will not be issued by the Administration. However, such certificates issued prior to November 15, 1946, may be used subsequent to that date in effecting the transfer of ownership of an aircraft if it is accompanied by the registration fee of \$4.00. If the Form ACA 1160, Certificate of Ownership is not used in effecting the transfer of ownership, it should be surrendered at the time the next application is made on Form ACA 500 for the registration of the aircraft.

(ii) *Requirements.* For the evidence required for the issuance of a registration certificate and the general rules pertaining to the registration of aircraft, see Part 501 of this chapter.

(2) *Dealers' aircraft registration certificates.* (Form ACA 1707) provides an alternate form of registration permitting the operation, demonstration, and merchandizing of civil aircraft owned by the certificate holder, such as manufacturer, distributor, or dealer and moving in the ordinary trade channels from such manufacturer, distributor, or dealer to the ultimate purchaser.

(i) *Application and fee.* Application is made on a form, "Application for Issuance of Dealers' Aircraft Registration Certificate(s)" (ACA-1706) which requires a statement of the citizenship of the dealer and certain data as to his status as a bona fide dealer in aircraft. An application containing current data must be submitted each time certificates are requested and may cover as many certificates as are desired at that time. This application is obtained from, and is submitted to, the Aircraft and Components Branch of the Regional Office for the area in which the applicant's business is located. A fee of \$5.00 is charged for the first certificate, and \$1.00 for each additional or subsequent certificate, issued to the same dealer. Certificates are valid for twelve months from date of issuance. Duplicates will not be issued.

(ii) *Requirements.* For further information as to the requirements pertaining to the issuance and use of Dealers' Aircraft Registration Certificates see Part 502 of this chapter.

(52 Stat. 986-1005, 54 Stat. 1233, 1235, 1236, Pub. Law 404, 79th Cong., 49 U. S. C. 458, 521)

2. By amending Subpart E (Part 651) (11 F. R. 177a-323) to read as follows:

SUBPART E—RECORDATION OF AIRCRAFT CONVEYANCES

Sec.

651.51 General.

651.52 Forms of conveyance.

651.53 Application.

651.54 Requirements.

AUTHORITY: § 651.51 to 651.54, inclusive, issued under 52 Stat. 986-1005, 54 Stat. 1233,

1235, 1236, Pub. Law 404, 79th Cong.; 49 U. S. C. 458, 521)

§ 651.51 *General.* All conveyances which affect the title to, or interest in, any aircraft registered under the provisions of the Civil Aeronautics Act are eligible for recordation with the Civil Aeronautics Administration. Upon receipt of any such conveyance, it is entered upon the Administration's record of conveyances. A receipt showing the recording of any document evidencing indebtedness will be furnished to the holder of such document.

§ 651.52 *Forms of conveyance.* The following forms have been prepared by the Administrator for use in recording of conveyances and are available upon request to the Certification and Recordation Section, Civil Aeronautics Administration, Washington 25, D. C.

(a) *Form ACA 500: Part C, Bill of Sale.* (For further information concerning Form ACA 500, see § 651.31 (c).)

(b) *Form ACA 506: Release.* (This form appears on the back of a letter acknowledging receipt of a chattel mortgage and should be in the possession of the mortgagee or his assignee to be used when the mortgage is cleared.)

(c) *Form ACA 818: Release Contract of Conditional Sale.* (This form appears on the back of a letter acknowledging receipt of a contract of conditional sale and should be in the possession of the seller or his assignee to be used when all conditions of the contract have been met.)

(d) *Form ACA 905: Aircraft Chattel Mortgage.*

(e) *Form ACA 906: Aircraft Conditional Sale Contract.*

(f) *Form ACA 909: Supplemental Affidavit to Application for Registration for All Types of Aircraft.* (To be filled in and submitted with Application for Registration (Form ACA 500, Part B) when the aircraft has been repossessed pursuant to the provisions of a chattel mortgage or contract of conditional sale and the person repossessing desires registration of the aircraft in his name.)

§ 651.53 *Application.* A conveyance may be recorded by submitting the original document, or a properly executed duplicate thereof, to the Director, Aircraft and Components Service, Civil Aeronautics Administration, Washington 25, D. C. There is no fee (other than the \$4.00 registration fee) for recording a bill of sale. A fee of \$4.00 is charged for the recording of a lien covering one aircraft. If more than one aircraft is covered by such lien the fee shall be \$4.00 for each aircraft. Fees shall be submitted in the form of a check or money order made payable to the Treasurer of the United States. No fee is required for the recording of a satisfaction of a lien.

§ 651.54 *Requirements.* For further information with respect to the requirements and instructions for the recordation of aircraft conveyances, see Part 503 of this chapter, or mail requests to the Director, Aircraft and Components Service, Attention: Certification and Recordation Section, Civil Aeronautics Administration, Washington 25, D. C.

¹ Section 651.53 of the regulations of the Administrator of Civil Aeronautics reads as follows:

§ 651.53 *Application.* A conveyance may be recorded by submitting the original document, or a properly executed duplicate thereof, to the Director, Aircraft and Components Service, Civil Aeronautics Administration, Washington 25, D. C. There is no fee (other than the \$4.00 registration fee) for recording a bill of sale. A fee of \$4.00 is charged for the recording of a lien covering one aircraft. If more than one aircraft is covered by such lien the fee shall be \$4.00 for each aircraft. Fees shall be submitted in the form of a check or money order made payable to the Treasurer of the United States. No fee is required for the recording of a satisfaction of a lien.

This amendment shall become effective May 1, 1947.

[SEAL] T. P. WRIGHT,
Administrator of Civil Aeronautics.

[F. R. Doc. 47-4070; Filed, Apr. 29, 1947;
8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51665]

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

PREPARATION BY CUSTOMS EMPLOYEES OF COPIES OF RECORDS PERTAINING TO IMPORTATIONS

Section 24.12 (b) Customs Regulations of 1943 (19 CFR, Cum. Supp., 24.12 (b)) is hereby amended by inserting after the third sentence the following sentence: "The cost of such labor shall be computed in multiples of 1 minute based on an hourly rate equal to $\frac{1}{1688}$ of the gross annual rate of regular pay of the particular employee or the amount actually payable to the employee for services outside his established basic workweek."

(R. S. 161, 2635, 2654, sec. 624, 46 Stat. 759, R. S. 4383, 5 U. S. C. 22; 19 U. S. C. 58, 59, 1624, 46 U. S. C. 333)

[SEAL] W. R. JOHNSON,
Commissioner of Customs.

Approved: April 23, 1947.

E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 47-4108; Filed, Apr. 29, 1947;
8:57 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Housing Expediter Priorities Reg. 4, as
Amended Jan. 27, 1947, Amdt. 2]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

CERTIFICATES AND DIRECTIVES FOR SURPLUS MATERIALS AND EQUIPMENT

Section 803.4, Housing Expediter Priorities Regulation 4, is amended by changing paragraph (d) to read as follows:

(d) *WAA stocks covered.* This section covers all materials and equipment of the types described in paragraph (c) of this section which are held by WAA as Government-owned surplus, with the exception of equipment below O-4 condition (as defined in WAA "Machinery Program 1066") and motor vehicles below O-4 condition (as defined in WAA "Motor Vehicles Sales Program 1073"), which may be disposed of by WAA without reference to this section.

(60 Stat. 207; 50 U. S. C. App. Sup. 1821)

Issued this 29th day of April 1947.

FRANK R. CREEDON,
Housing Expediter.

[F. R. Doc. 47-4167; Filed, Apr. 29, 1947;
11:11 a. m.]

[Priorities Reg. 28, Direction 25, as Amended
April 29, 1947]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

PRIORITIES ASSISTANCE FOR MERCHANT PIG IRON FOR CAST IRON SOIL PIPE AND CAST IRON SOIL FITTINGS

The following direction is issued pursuant to Priorities Regulation 28:

(a) *What this direction does.* The continued shortage of merchant pig iron, particularly in certain areas, threatens the production of cast iron soil pipe and cast iron soil fittings, critically short for the Veterans' Emergency Housing Program. It is necessary to maintain such production at a high level and for this purpose this direction provides for the placing of certified orders for pig iron for the production of cast iron soil pipe and cast iron soil fittings, after March 31, 1947. This direction is necessary in the public interest and to effectuate the purposes of the Veterans' Emergency Housing Act of 1946.

(b) *Applications and authorizations.* (1) *What foundries may apply.* Only foundries which make cast iron soil pipe or which make both cast iron soil pipe and cast iron soil fittings may apply under this direction for authorization to place a certified order for merchant pig iron.

(2) *When to file application.* Applications should be filed on Form OHE 14-186 (formerly Form CPA-4570) with the Housing Expediter on or before the 15th day of the month preceding the month in which delivery is required. (Until copies of FORM OHE 14-186 are available, applications may be made on Form CPA-4570.)

(3) *Authorizations.* The Housing Expediter upon receipt of an application on Form OHE 14-186 may authorize the placing by the applicant of certified orders for merchant pig iron required to make cast iron soil pipe and cast iron soil fittings. Authorization will be returned to the applicant in time for the applicant to place his orders with the supplier for the required delivery. Such authorization will not be granted to increase inventories and will only be granted where it is determined that the authorization is necessary to maintain or increase production of cast iron soil pipe and cast iron soil fittings. In making such authorization, the Housing Expediter will take into account the extent to which the applicant in the production of cast iron soil pipe and cast iron soil fittings conserves pig iron through the use of scrap iron.

(4) *Limitation on use of merchant pig iron obtained on certified orders.* Each foundry must put into production in each month for which it receives authorization not less than the amount of merchant pig iron authorized for that month on Form OHE 14-186 to make cast iron soil pipe and cast iron soil fittings.

(c) *Placement of certified orders.* A foundry which receives an authorization on Form OHE 14-186 may certify its order on its supplier for merchant pig iron by furnishing with the order, a certificate in substantially the following form, signed as provided in Priorities Regulation 7.

I certify, subject to the penalties of section 35A of the United States Criminal Code, that I have been authorized to place this order for merchant pig iron under Direction 25 to Priorities Regulation 28, serial number _____

(1) *Restrictions on placing certified orders.* Orders may be certified for delivery only as authorized on Form OHE 14-186. Thus they must be certified to the suppliers for the amount and in the month indicated on the form when it is returned by the Housing Expediter.

(d) *Certified orders must be treated as rated orders.* Any purchase order certified under this direction must be treated as a rated order under Priorities Regulation 1 and accepted, scheduled and delivered accordingly, except that a producer of merchant pig iron need not accept a certified order received after the 25th day of the month preceding the month in which delivery is required. The provisions of Priorities Regulation 1 will apply except to the extent that this direction is inconsistent with them.

(e) *Reports.* Producers of merchant pig iron and foundries making cast iron soil pipe or both cast iron soil pipe and cast iron soil fittings must furnish such reports as may be required by the Housing Expediter from time to time, subject to approval by the Bureau of the Budget, pursuant to the Federal Reports Act of 1942.

Issued this 29th day of April 1947.

OFFICE OF THE HOUSING
EXPEDITER,
By JAMES V. SARCONI,
Authorizing Officer

[F. R. Doc. 47-4166; Filed, Apr. 29, 1947;
11:11 a. m.]

[Suspension Order S-1077, Reinstatement
and Amdt.]

PART 807—SUSPENSION ORDERS

GROVER D. KING

Grover D. King, 1821 West Whittier Boulevard, Whittier, California, engaged in the construction of several housing projects in Southern California, was suspended on February 8, 1947 by Suspension Order No. S-1077. He appealed from the provisions of the suspension order and, pending determination of the appeal, the order was stayed by the Chief Compliance Commissioner on February 17, 1947. The appeal has been considered by the Chief Compliance Commissioner who has denied the appeal, directed that the stay be terminated, and the suspension order reinstated and amended. In view of the foregoing: *It is hereby ordered, That* §1010.1077, Suspension Order No. S-1077, issued January 29, 1947 and effective February 8, 1947, be and hereby is reinstated as of April 28, 1947; the stay of execution directed by the Chief Compliance Commissioner on February 17, 1947 be and hereby is revoked as of April 28, 1947; and the suspension order be and hereby is amended by substituting the following paragraphs (a) and (f) for the present paragraphs (a) and (f)

(a) For a period beginning April 28, 1947, and extending to and including August 19, 1947, no authorization shall be granted to Grover D. King to construct, nor shall he during such period apply or extend any preference ratings regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

(f) This order shall take effect on the 28th day of April.

Issued this 28th day of April 1947.

OFFICE OF HOUSING
EXPEDITER,
By JAMES V. SARCONI,
Authorizing Officer

[F. R. Doc. 47-4159; Filed, Apr. 28, 1947;
4:43 p. m.]

PART 851—ORGANIZATION DESCRIPTION INCLUDING DELEGATIONS OF FINAL AUTHORITY

DESIGNATION OF ACTING HOUSING EXPEDITER

§ 851.22 *Designation of Acting Housing Expediter* Robert E. Johnson is hereby designated to act as Housing Expediter during my absence on April 28 and 29, 1947, with the title "Acting Housing Expediter" with all the powers, duties, and rights conferred upon me by the Veterans' Emergency Housing Act of 1946, or any other act of Congress or Executive order, and all such powers, duties, and rights are hereby delegated to such officer for such dates. (60 Stat. 207; 50 U. S. C. App. Sup. 1821)

Issued this 25th day of April 1947.

FRANK R. CREEDON,
Housing Expediter.

[F. R. Doc. 47-4091; Filed, Apr. 29, 1947;
8:57 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Sugar Rationing Administration, Department of Agriculture

[Gen. Order 1]

PART 705—ADMINISTRATION

ESTABLISHMENT OF SUGAR RATIONING ADMINISTRATION IN DEPARTMENT OF AGRICULTURE

§ 705.101 *Establishment of Sugar Rationing Administration in the Department of Agriculture.* The Secretary of Agriculture, acting by virtue of authority vested in him by law, including the Sugar Control Extension Act of 1947, hereby establishes within the Department of Agriculture an agency known as the Sugar Rationing Administration for the purpose of carrying out the functions vested in the Secretary of Agriculture by such act. The personnel of such administration shall include the personnel transferred to the Department of Agriculture in accordance with the Sugar Control Extension Act of 1947.

I hereby designate Irvin L. Rice Acting Administrator and Seymour Friedman Acting Deputy Administrator of the Sugar Rationing Administration. The Acting Administrator of the Sugar Rationing Administration shall report to the Secretary of Agriculture through, and be under the general supervision of James H. Marshall. The legal aspects of the work of the Sugar Rationing Administration shall be subject to the general supervision of the Solicitor of the Department of Agriculture.

As provided in section 3 (b) of the Sugar Control Extension Act of 1947, every order, directive, rule or regulation relating to any power, function, or duty transferred by such act, issued by any officer, department, or agency heretofore performing such power, function, or duty, which is not in conflict with the provisions of such act and which is in effect on March 31, 1947, shall continue in full force and effect, according to its terms, unless and until modified or rescinded by the Secretary of Agriculture.

No. 85—2

The Secretary of Agriculture delegates to James H. Marshall administrative authority to act for the Secretary in all matters relating to the Sugar Rationing Administration, except that the authority to issue sugar price and rationing regulations and amendments thereto, and the authority to maintain in his own name civil proceedings relating to matters within the scope of that act are hereby expressly reserved to the Secretary of Agriculture.

Subject to the authority of the Secretary of Agriculture and of James H. Marshall herein set forth, the Secretary of Agriculture delegates to the Sugar Rationing Administration authority and responsibility to discharge all of the functions, powers, and duties conferred upon the Secretary by the Sugar Control Extension Act of 1947.

There is hereby delegated to the Office of Administrative Hearings to be set up within the Sugar Rationing Administration all of the functions, powers, and duties relating to sugar heretofore delegated to the Office of Administrative Hearings of the Office of Price Administration by Second Revised General Order 46 of the Office of Price Administration, dated October 25, 1946.

Until changed, revoked, or modified by order of the Secretary of Agriculture, James H. Marshall or the Administrator of the Sugar Rationing Administration, and except to the extent they may be inconsistent with this memorandum, all delegations and sub-delegations of authority and designation of functions of the Sugar Rationing Administration as they are now described in the Office of Price Administration manual covering the organization of those portions of the Office of Price Administration whose functions are transferred to the Department of Agriculture under the Sugar Control Extension Act of 1947 are hereby ratified, confirmed, and validated and shall remain in full force and effect. (Pub. Law 30, 80th Cong.)

Issued this 31st day of March 1947.

[SEAL] CLINTON P. ANDERSON,
Secretary.

[F. R. Doc. 47-4079; Filed, Apr. 23, 1947;
8:43 a. m.]

Chapter IX—Office of Temporary Controls, Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 633, Pub. Laws 363 and 475, 79th Cong.; E. O. 8024, 7 F. R. 323; E. O. 8040, 7 F. R. 637; E. O. 9125, 7 F. R. 2719; E. O. 9589, 10 F. R. 10155; E. O. 8023, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 8597; E. O. 8203, Dec. 12, 1946, 11 F. R. 14231; OTC Reg. 1, 11 F. R. 14311.

PART 3290—MANILA (ABACA) AND AGAVE FIBERS AND CORDAGE

[Conservation Order M-34 as Amended April 16, 1947, Amdt. 1]

Section 3290.221, *Conservation Order M-34*, is amended by making the follow-

ing changes in the last paragraph in paragraph (b) (2) in next to the last sentence the words "500 feet" are changed to "500 to 650 feet" and in the last sentence the words "200 to 225 feet" are changed to "200 to 300 feet."

Issued this 29th day of April 1947.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-4103; Filed, Apr. 23, 1947;
11:24 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 204—DANGER ZONE REGULATIONS

BONNEVILLE DAM, COLUMBIA RIVER, OREGON AND WASHINGTON

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), the following § 204.105 is hereby prescribed for the purpose of preventing accidents to vessels and other floating craft in dangerous waters in the vicinity of Bonneville Dam, Columbia River, Oregon and Washington:

§ 204.105 *Bonneville Dam, Columbia River, Oreg. and Wash., restricted areas.* (a) All waters of the Columbia River and Bradford Slough within 1,000 feet above and 2,000 feet below the spillway dam and 400 feet above and 600 feet below the power house are hereby designated as restricted areas.

(b) No vessel or other floating craft shall enter or remain in any of the restricted areas at any time without first obtaining permission from the District Engineer, Corps of Engineers, Portland, Oregon, or his duly authorized representative.

(c) The restricted areas will be designated by signs posted in conspicuous and appropriate places. [Regs. April 10, 1947 (C. E. 800.211 Columbia River—Oreg. and Wash.)—ENGWR] (40 Stat. 266; 33 U. S. C. 1)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 47-4023; Filed, Apr. 23, 1947;
8:57 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

Subchapter E—Regulations

PART 5—CLASSIFICATION AND RATES OF POSTAGE

FOURTH-CLASS MAIL; DISCONTINUANCE OF REQUIREMENT OF REQUESTS

Section 5.70 *Fourth-class mail matter defined*, (39 CFR, Part 5), is amended by the addition of the following:

(c) *Discontinuance of requirement of requests from army personnel overseas for parcels, effective May 1, 1947.* The War Department advises that the requirement of a written request from the addressees for the mailing of parcels to overseas Army Post Offices, and the limitation with respect to the acceptance of not more than one parcel in any one week when mailed by or on behalf of the same sender, to or for the same addressee, will be eliminated, effective May 1, 1947.

Therefore, on and after that date, postmasters may accept parcels not exceeding 70 pounds in weight or 100 inches in length and girth combined addressed to persons who are authorized to receive mail through overseas Army Post Offices, containing articles for the personal use of the addressees.

Air mail (except official mail) addressed for delivery through overseas Army Post Offices, in care of the postmasters of New York, New York, and San Francisco, California, is restricted to 8 ounces in weight.

(R. S. 161, 396, sec. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] J. M. DONALDSON,
Acting Postmaster General.

[F. R. Doc. 47-4075; Filed, Apr. 29, 1947;
8:47 a. m.]

PART 6—PROVISIONS APPLICABLE TO THE SEVERAL CLASSES OF MAIL MATTER

POISONS, EXPLOSIVES, LIQUIDS, MEDICINES, MOTION PICTURE FILMS

Section 6.13 *Poisons, explosives, liquids, medicines, motion picture films* (11 F. R. 10057) is amended as follows:

Paragraph (d) (2) is amended by the addition of the following:

Rat poison having a low percentage of alphanaphthylthiourea (Antu) as the active ingredient, and not containing other substances that are unavailable, may be mailed in quantities not to exceed 5 pounds of the low percentage preparation in any one parcel. The inside container must be of metal, glass or fiberboard, surrounded with cushioning material and placed in an outside container of metal, wood or fiberboard, tightly closed and securely fastened. The inside container must be plainly labeled to show its contents and marked "Poison" with the antidotes for first aid treatment. The label on the inside container must also bear the name and address of the manufacturer.

(R. S. 161, 396, as amended, sec. 217, 35 Stat. 1131, as amended; 5 U. S. C. 22, 369, 18 U. S. C. 340)

[SEAL] J. M. DONALDSON,
Acting Postmaster General.

[F. R. Doc. 47-4074; Filed, Apr. 29, 1947;
8:47 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 8—SHIP RADIO SERVICE

WAIVERS CONCERNING EMPLOYMENT OF SHIP RADIO OPERATORS POSSESSING LESS THAN SIX MONTHS RADIO EXPERIENCE

CROSS REFERENCE: For statement concerning applications for waivers covering employment of ship radio operators possessing less than six months ship radio experience see F. R. Doc. 47-4036 under Federal Communications Commission in Notices section, *infra*.

[Order 130-M]

PART 12—AMATEUR RADIO SERVICE

ALLOCATION OF FREQUENCIES AND FREQUENCY BANDS

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of April 1947;

The Commission having under consideration the matter of allocating frequencies to the Amateur Radio Service, and having by separate order dated and effective this date designated as available for the Amateur Radio Service the frequency band 27.160 to 27.430 Mc in lieu of the band 27.185 to 27.455 Mc; and

It appearing, that the allocation of frequencies in the band 27.185 to 27.455 Mc to the Amateur Radio Service, as set forth in the Commission's Order No. 130-L dated January 2, 1947, is inconsistent with the frequency allocations effected by the order referred to in the preceding paragraph hereof; and

It further appearing, that as the change in the allocation of frequencies mentioned in the preceding paragraphs hereof is already in effect, general public notice and procedure for rule making required by section 4 (a) of the Administrative Procedure Act is unnecessary.

It is ordered, That for the purpose of correlating the Commission's orders in the 130-series with the changed allocation of frequencies hereinbefore referred to, the paragraph numbered 2 (a) (4) of the first ordering clause of Order No. 130-L be, and it is hereby amended to read as follows:

1 (4) 27.160 to 27.430 Mc, using types A0, A1, A2, A3, and A4 emissions, and also special emissions for frequency modulation (radio-telephone transmissions and radio-telegraph transmissions employing carrier shift or other frequency modulation techniques) subject to such interference as may occur from the operation of industrial, scientific and medical devices also assigned to this band and centered on 27.320 Mc.

For the reasons above indicated, this order is made effective immediately.

(Secs. 4 (i) 303 (c) 48 Stat. 1068, 1082; 47 U. S. C. 154 (i) 303 (c))

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-4106; Filed, Apr. 29, 1947;
8:55 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

SHIPMENTS FROM AND WITHIN OFFICIAL CLASSIFICATION TERRITORY

CROSS REFERENCE: For exceptions to the provisions of § 500.72, see Part 520 of this chapter, *infra*.

[General Permit ODT 1, Rev. 10, Amdt. 3]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS AND PERMITS

SHIPMENTS FROM OFFICIAL CLASSIFICATION TERRITORY

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, and Executive Order 9729, *It is hereby ordered*, That the expiration date provided in General Permit ODT 1, Revised-10, as amended (11 F. R. 12364, 14598, 12 F. R. 1374) be changed to June 30, 1947.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, Pub. Law 29, 80th Cong., 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 25th day of April 1947.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 47-4092; Filed, Apr. 29, 1947;
8:54 a. m.]

[General Permit ODT 1, Rev. 11, Amdt. 3]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS AND PERMITS

SHIPMENTS WITHIN OFFICIAL CLASSIFICATION TERRITORY

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, and Executive Order 9729, *It is hereby ordered*, That the expiration date provided in General Permit ODT 1, Revised-11, as amended (11 F. R. 12364, 14598, 12 F. R. 1374, 1421), be changed to June 30, 1947.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, 60 Stat. 345, Pub. Law 29, 80th Cong., 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725; E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 25th day of April 1947.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 47-4093; Filed, Apr. 29, 1947;
8:54 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

[9 CFR, Part 131]

HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

NOTICE OF PROPOSED RULE MAKING WITH RESPECT TO APPROVAL OF BUDGET AND FIXING OF RATE OF ASSESSMENT FOR CALENDAR YEAR 1947

Consideration is being given to the approval of a budget of expenses of the Control Agency established under the marketing agreement and the marketing order (9 CFR 131.1 et seq.) regulating the handling of anti-hog-cholera serum and hog-cholera virus, and the fixing of the rate of assessment to be paid by handlers, for the calendar year 1947, as follows: (1) The expenses which will necessarily be incurred by the Control Agency, established pursuant to the provisions of the marketing agreement and of the marketing order, for the maintenance and functioning of said Control Agency during the calendar year 1947, will amount to \$31,525, from which shall be deducted the unexpended balance of \$4,269.77 on hand with said Control Agency on January 1, 1947, from assessments collected during the calendar year 1946, leaving a balance of \$27,255.23 to be collected during the calendar year 1947, and (2) of the amount of \$27,255.23 to be collected during the calendar year 1947, the sum of \$26,255.23 shall be assessed against handlers who are manufacturers, and \$1,000 shall be assessed against handlers who, as distributors, market their products principally through veterinarians or other channels.

The pro rata share of the expenses of the Control Agency to be paid for the calendar year 1947 by each handler who is a manufacturer shall be \$17.45 per million cubic centimeters (determined by the nearest whole number) of hyperimmune blood collected by such handler during the calendar year 1946; and the pro rata share of such expenses to be paid for the calendar year 1947 by each handler who, as a distributor, markets his products principally through veterinarians or other channels shall be \$2.25 per million cubic centimeters (determined by the nearest whole number) of serum sold by such handler. Such assessments shall be paid by each respective handler in accordance with the provisions of the marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid considerations shall file the same with the Hearing Clerk, Room 0308, South Building, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the 10th day after the publication of this notice in the *FEDERAL REGISTER*. All documents should be filed in quadruplicate. (49 Stat. 781, 7 U. S. C. 851 et seq.)

Issued this 24th day of April 1947.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-4078; Filed, Apr. 23, 1947; 8:47 a. m.]

Production and Marketing Administration [7 CFR, Ch. VIII]

WAGES FOR SUGARCANE WORKERS

NOTICE OF HEARING AND DESIGNATION OF PRESIDING OFFICERS

Pursuant to the authority contained in subsection (b) and (d) of section 301 and section 511 of the Sugar Act of 1937 (Public, No. 414, 75th Congress, as amended,) notice is hereby given that a public hearing will be held at Clewiston, Florida, in the High School Auditorium, on May 10, 1947, at 9:30 a. m.

The purpose of such hearing is to receive evidence likely to be of assistance to the Secretary in determining (1), pursuant to the provisions of section 301 (b) of the said act, fair and reasonable wages for persons employed in Florida in the production, cultivation, and harvesting of sugarcane during the period from July 1, 1947 to June 30, 1948 on farms with respect to which applications for payments under the said act are made, and (2) pursuant to the provisions of section 301 (d) of the said act, fair and reasonable prices for the 1947 crop of sugarcane to be paid, under either purchase or toll agreements, by processors who as producers apply for payments under the said act; and to receive evidence likely to be of assistance to the Secretary in making recommendations, pursuant to the provisions of section 511 of the said act, with respect to the terms and conditions of contracts between producers and processors of sugarcane and with respect to the terms and conditions of contracts between laborers and producers of sugarcane.

George A. Dice, Ward S. Stevenson, and Frank T. Gradville are hereby designated as presiding officers to conduct, either jointly or severally, the foregoing hearing.

Issued this 24th day of April 1947.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-4080; Filed, Apr. 23, 1947; 8:50 a. m.]

[7 CFR, Part 933]

[Docket No. AO 85-A2]

MARKETING AGREEMENT AND ORDER REGULATING HANDLING OF ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

NOTICE OF PROPOSED RULE MAKING

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and in accordance

with the applicable rules of practice and procedure as amended (7 CFR and Supps. 900.1 et seq., 11 F. R. 7737; 12 F. R. 1159), notice is hereby given of a public hearing to be held in the Court Room, County Court House, Vero Beach, Florida, beginning at 10:00 a. m., e. s. t., May 12, 1947, and in the Assembly Room, Florida Citrus Commission, Lakeland, Florida, beginning at 10:00 a. m., e. s. t., May 14, 1947, with respect to proposed amendments to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR, Cum. Supps., 933.1 et seq., 11 F. R. 9471) regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida. These proposals have not received the approval of the Secretary of Agriculture.

Such public hearing is for the purpose of receiving evidence with respect to economic or marketing conditions relating to the proposed amendments, which are hereinafter set forth, and appropriate modifications thereof.

The following amendments have been proposed by the Growers Administrative Committee and the Shippers Advisory Committee, established pursuant to the aforesaid amended marketing agreement and order:

1. Add to section 1 of the amended marketing agreement and § 933.1 *Definitions* of the amended order the following new paragraph:

(m) (1) "Regulation Area I" shall include all that part of the State of Florida not included in "Regulation Area II" as hereinafter described.

(2) "Regulation Area II" shall include that part of the State of Florida particularly described as follows: Beginning at a point on the shore of the Atlantic Ocean where the line between Flagler and Volusia Counties intersects said shore, thence follow the line between said two counties to the Southwest corner of Section 23, Township 14 South, Range 31 East; thence continue South to the Southwest corner of Section 35, Township 14 South, Range 31 East; thence East to the Northwest corner of Township 15 South, Range 32 East; thence South to the Southwest corner of Township 17 South, Range 32 East; thence East to the Northwest corner of Township 18 South, Range 33 East; thence South to the St. Johns River; thence along the main channel of the St. Johns River and through Lake Harney, Lake Poinsett, Lake Winder, Lake Washington, Sawgrass Lake, and Lake Helen Blazes to the range line between Ranges 35 East and 36 East; thence South to the South line of Brevard County; thence East to the line between Ranges 36 East and 37 East; thence South to the Southwest corner of St. Lucie County; thence East to the line between Ranges 39 East and 40 East; thence South to the South line of Martin County; thence East to the line between Ranges 40 East and 41 East; thence South to the West Palm Beach Canal (also known as the Okeechobee Canal)

thence follow said canal eastward to the mouth thereof; thence East to the shore of the Atlantic Ocean; thence Northerly along the shore of the Atlantic Ocean to the point of beginning.

2. Delete the provisions of (b) (1) of section 4 of the amended agreement and of (b) (1) of § 933.4 *Regulations by grades and sizes* of the amended order and substitute therefor the following:

(b) *Recommendation for regulations.* (1) Whenever the Shippers Advisory Committee deems it advisable to regulate any variety pursuant to this section, the said committee shall recommend the particular grades and sizes or either thereof deemed by it advisable to be shipped, and any such recommendation may include a proposal that shipments of any variety grown in Regulation Area II shall be limited to the grades and sizes different from the proposed grade and size limitation applicable to shipments of the same variety grown in Regulation Area I. In making such determination, the said committee shall give due consideration to the following factors relating to the citrus fruit produced in Florida and in other States: (a) Market prices, including prices by grades and sizes of the fruit for which regulation is recommended; (b) amount on hand at the principal markets, as evidenced by supplies on track; (c) maturity, conditions, and available supply, including the grade and size thereof in the producing areas; (d) other pertinent market information; and (e) the level and trend in consumer income. The Shippers Advisory Committee shall promptly report the recommendations so made, with supporting information, to the Growers Administrative Committee, which committee shall, in turn, submit the same to the Secretary, together with its own recommendations and supporting information respecting the factors hereinbefore enumerated.

3..Delete the provisions of (c) of section 4 of the amended agreement and of (c) of § 933.4 of the amended order and substitute therefor the following:

(c) *Regulation by the Secretary.* Whenever the Secretary shall find from the recommendations and reports of the Shippers Advisory Committee and the Growers Administrative Committee, or from other available information, that to limit the shipment of any variety to particular grades and sizes would tend to effectuate the declared policy of the act, he shall so limit the shipment of such variety during a specified period or periods, and any such regulation may provide that shipments of any variety grown in Regulation Area II shall be limited to grades and sizes different from the proposed grade and size limitation applicable to shipments of the same variety grown in Regulation Area I. Prior to the beginning of any such regulation the Secretary shall notify the Growers Administrative Committee of the regulation issued by him, which committee shall notify all handlers, by pub-

lication in daily newspapers, selected by the said committee, of general circulation in the citrus-producing districts of Florida: *Provided*, That when the regulation as issued is different from the recommendation of the committee, notice thereof shall be given also by mailing a copy thereof to each handler who has filed his address with said committee for this purpose.

The Fruit and Vegetable Branch, Production and Marketing Administration, has proposed that consideration be given to such other changes in the provisions of the amended marketing agreement and order, as may be necessary to make the entire amended marketing agreement and order conform with the proposed amendments contained in this notice of hearing.

Copies of this notice of hearing may be obtained from the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., or from the Fruit and Vegetable Branch, Production and Marketing Administration, Drane Building, Lakeland, Florida.

Dated April 25, 1947, Washington, D. C.

[SEAL] E. A. MEYER,
Assistant Administrator Pro-
duction and Marketing Ad-
ministration.

[F. R. Doc. 47-4107; Filed, Apr. 29, 1947;
8:57 a. m.]

[9 CFR, Part 201]

HANDLING OF SHIPPERS' PROCEEDS BY MARKET AGENCIES AND LICENSEES UNDER THE PACKERS AND STOCKYARDS ACT

NOTICE OF PROPOSED RULE MAKING

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.) the Secretary of Agriculture proposes to issue a rule amending § 201.42 of the regulations under the Packers and Stockyards Act (9 CFR Part 201) to read as follows:

Every market agency and licensee shall deposit the gross proceeds received from the sale of livestock or live poultry handled on a commission or agency basis in a separate bank account designated as follows (using the name of "John Doe Commission Company," as an example) "John Doe Commission Company—Custodial Account for Shippers' Proceeds." Such account shall be drawn on only for the payment of the net proceeds to the person or persons entitled thereto and to obtain therefrom the sums due the market agency or licensee as compensation for its services as set out in its tariffs and for such sums as may be required to pay all legal charges against the consignments of livestock or live poultry as a market agency or licensee may, in its capacity as agent, be required to pay for and on behalf of the owner or consignor. No funds, other than the gross proceeds received from the sale of livestock or live poultry, shall be deposited in said account. The market agency or licensee in each case shall

keep such accounts and records as will at all times disclose the names of consignors and the amount due and payable to each from funds in the Custodial Account for Shippers' Proceeds.

Therefore, notice is hereby given that any interested person who desires to do so may submit within 60 days after the publication of this notice any data, views, or argument in writing on the proposed rule to the Director, Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

Done at Washington, D. C., this 24th day of April 1947.

[SEAL] H. E. REED,
Director, Livestock Branch,
Production and Marketing
Administration.

[F. R. Doc. 47-4038; Filed, Apr. 29, 1947;
8:49 a. m.]

DEPARTMENT OF COMMERCE

United States Patent Office

[37 CFR, Part 51]

TRADE-MARKS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Patent Office proposes to issue rules and regulations relating to the registration of trade-marks, and to practice before the Patent Office in trade-mark matters, under the Trade-Mark Act of July 5, 1946 (Pub. Law 489, 70th Cong.) which will come into effect on July 5, 1947.

The proposed rules and regulations are issued pursuant to the authority contained in sections 1 (c) and 41 of said act, and will upon promulgation supersede and replace the rules now in force, 37 CFR Part 5.

The proposed rules and regulations, including some representative forms, will be available in printed form for distribution on Wednesday, April 30, 1947, and will be given or sent to all interested parties upon request to the Commissioner of Patents, Washington 25, D. C. They will also be published in the Official Gazette of the United States Patent Office on May 13, 1947.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed rules and regulations are invited to forward the same to the Commissioner of Patents, Washington 25, D. C., before Thursday May 22, 1947.

In addition to submitting briefs or statements, those who so desire may be heard orally. Hearings are scheduled to commence at 10:00 o'clock a. m. on Friday, May 23, 1947, in the Auditorium of the Department of Commerce.

LESLIE FRAZER,
First Assistant Commissioner
of Patents.

APRIL 25, 1947.

[F. R. Doc. 47-4117; Filed, Apr. 29, 1947;
8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 81]

[Docket No. 8308]

SHIP SERVICE

NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of Part 8 of the rules and regulations governing ship service to establish a 5-year regular term for ship station licenses and to establish the ship radar station with a 5-year license term as a new class of station within the ship service.

Notice is hereby given of proposed rule making in the above-entitled matter.

The proposed rules and regulations, which are amendments of and additions to existing rules and regulations, are set forth in this notice.

The proposed rules are issued under the authority of section 301 and sections 303 (b) (c) (e) (f) (j) and (r) of the Communications Act of 1934, as amended.

The amendment of § 8.20 and 8.21 of the existing rules is for the purpose of showing that the terms "maritime mobile service" and "ship service" as used in Part 8 of the rules do not apply generally to ship radar stations. The amendment of § 8.61 of the existing rules is for the purpose of making the license term of ship station and ship radar station licenses uniform. The addition of new § 8.195 is to provide particulars covering ship radar stations.

Any interested person who is of the opinion that these proposed revisions of the rules should not be adopted, or should not be adopted in the form set forth, may file with the Commission, on or before May 19, 1947, a written statement or brief setting forth his comments. Before final action is taken, all comments received will be considered, and if any comments are received which appear to warrant the Commission's holding an oral argument, notice of the time and place of such oral argument will be given.

1. Sections 8.20 and 8.21, respectively, are amended by inserting the notation "as" after the term "maritime mobile service" in § 8.20 and after the term "ship service" in § 8.21.

2. The following footnote is added (cf. paragraph 1 above)

²² The term does not apply to the use of radar installations on board ship except where radar is specifically mentioned.

3. Section 8.61 is amended to read as follows:

§ 8.61 *Ship station license.* All new, renewed, or modified ship station licenses normally will be issued to expire at 3:00 a. m., e. s. t. on a date 5 years from the date on which they became effective.

4. The following new rules governing ship radar stations are added after § 8.192:

SHIP RADAR STATIONS

§ 8.195 *Ship radar stations.*—(a) *Ship radar station.* The term "ship radar station" means a radio station located on board a ship licensed for the transmission of energy by radio for the purpose of automatically detecting land and other objects through the reception of the effects of such transmission, with or without a determination of their direction and distance from the ship.

(b) *Applications for ship radar station licenses.* Applications for ship radar station licenses shall be made in accordance with the provisions of Part 1 of the Commission's rules and regulations.

(c) *Term of ship radar station licenses.* All new, renewed, or modified ship radar station licenses normally will be issued to expire at 3:00 a. m., e. s. t., on a date 5 years from the date on which they became effective.

(d) *Posting of ship radar station license.* The ship radar station license shall be posted in a conspicuous place at the principal operating position.

(e) *Station identification.* Section 2.65 requiring station identification by call letters shall not apply to ship radar stations. For administrative purposes, the call letters assigned to a ship radar station normally will be the same as the ship station call letters or ship signal letters.

(f) *Authorized emission for radar transmitters.* Any transmitter of a ship radar station which operates within a frequency band allocated in paragraph (g) of this section shall use special (pulsed) type of emission only.²³

(g) *Allocation of frequencies for ship radar stations.* The following frequency bands are allocated for use by ship radar stations:²⁴

3000 to 3246 Mc
5400 to 5650 Mc
9320 to 9500 Mc

(h) *Frequency tolerance.* All emissions of a ship radar station outside an assigned frequency band shall be attenuated at least 60 decibels below the maximum emission within the assigned frequency band. The frequency at which maximum emission occurs shall not be within 20 Megacycles of either end of an assigned band.

(i) *Frequency measurements.* The licensee of a ship radar station shall

²³ For the purpose of this part of the rules, the term "special (pulsed) type of emission" means radio frequency energy which is emitted in the form of short bursts of energy repeated at regular intervals, the duration of each burst being much shorter than the interval between bursts.

²⁴ The associated transmitting frequencies of radar beacons (Racons) are, respectively, as follows: 3256, 5450, and 9310 Megacycles.

take the necessary measures to insure that the transmitter operates within the tolerance limits specified in paragraph (h) of this section.

(j) *Name plate on radar installation.* Each ship radar station installation the manufacture of which was completed on or after June 1, 1947, shall be furnished with a durable name plate with the manufacturer's name, transmitter model number, and month and year of completion of manufacture, permanently inscribed thereon. Such name plate shall be affixed to the indicator housing at the principal operating position.

(k) *External adjustments.* Radar transmitters which have means available for external adjustments, the manipulation of which may cause operation not in accordance with paragraph (h) of this section, will not be licensed in the ship service.²⁵

(l) *Design and construction.* The design and construction of radar equipment intended for licensing in the ship service shall be such that its use will produce no interference to the radio communication service of any ship.

(m) *Type approval of radar equipment.* To determine the acceptability of radar equipment for licensing in the ship service, such equipment will be examined by duly authorized representatives of the Commission for compliance with the provisions of paragraphs (f) (g) (h) (j) (k) and (l) of this section 5 and if found in compliance therewith, appropriate type approval will be issued.

(n) *Reports.* The licensee, by such arrangement as may be necessary with the ship master, operating agency, or ship owner, shall, upon request of the Commission, be responsible for the submission of such reports as may be required to show the value and performance of a ship radar station.²⁶

Adopted: April 17, 1947.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE
Secretary.

²² This provision does not necessarily prohibit the licensing of such radar transmitters experimentally on board ship in accordance with Part 5 of the rules.

²³ For assistance in preparing these reports, daily records should be kept showing at least the following:

(a) Number of hours of use while the ship is in operation.

(b) Number of service failures, and duration, nature, and cause of each failure.

(c) Performance under abnormal weather conditions.

(d) Unusual incidents, including, among others, cases in which radar may have aided or hindered safe operation of a vessel.

[F. R. Dec. 47-4103; Filed, Apr. 29, 1947; 8:51 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

DR. AUGUST VON BOROSINI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Dr. August von Borosini; A-461; Property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943), relating to United States Letters Patent No. 1,958,100, to the extent owned by the claimant immediately prior to the vesting thereof.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4103; Filed, Apr. 29, 1947; 8:50 a. m.]

ROLF BIE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading with the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Rolf Bie, New York, N. Y., A-290; Property described in Vesting Order No. 292 (7 F. R. 9836, November 26, 1942), relating to United States Letters Patent No. 2,323,009, to the extent owned by the claimant immediately prior to the vesting thereof.

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-4104; Filed, Apr. 29, 1947; 8:50 a. m.]

[Vesting Order 2081, Amdt.]

FREDERICK C. AND ELISE BOHLKEN

In re: Real properties situated in Brooklyn, New York, mortgages on real properties similarly situated, claims, and property insurance policies owned by Frederick C. Bohlken and Elise Bohlken.

Amendment to Vesting Order 2081, dated January 22, 1944, is hereby amended as follows and not otherwise:

By adding to subparagraph 3c (iii) immediately after the figure "405," the following: "excepting, however, the interest assigned to Maria Topp by J. Lehrenkrauss & Sons, a copartnership, by instrument recorded December 15, 1933, in the Register's Office of Kings County, New York, in Liber 7870 of Mortgages at page 80."

All other provisions of said amendment to Vesting Order 2081 and all actions taken by or on behalf of the Alien Property Custodian or the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 25, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4099; Filed, Apr. 29, 1947; 8:50 a. m.]

[Vesting Order 8139, Amdt.]

ELSE EICHMAN

In re: Bank accounts, stock and bond owned by Else Eichman.

Vesting Order 8139, dated January 31, 1947, is hereby amended as follows and not otherwise:

By deleting from Exhibit A of said Vesting Order the number "0171" and substituting therefor the number "P. O. 704."

By deleting from Exhibit A of said Vesting Order the following: "Twelve (12) shares of no par value cumulative preferred capital stock" and substituting therefor "Twelve (12) shares of no par value \$4.50 cumulative preferred capital stock."

All other provisions of said Vesting Order 8139 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on April 18, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-4100; Filed, Apr. 29, 1947; 8:50 a. m.]

[Vesting Order 8775]

YOSHIKIYO ARIMORI ET AL.

In re: Stock owned by Yoshikiyo Arimori and others. D-39-16989-D-1, F-39-4793-D-1, F-28-6154-D-1, and F-28-22405-D-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yoshikiyo Arimori and Takasuki Takeshita, each of whose last known address is Japan, are residents of Japan and nationals of a designated enemy country (Japan),

2. That Chr. Mann and Miss Elsie Schneidt, whose last known addresses are c/o Mann & Friedeborn, Hildesheim, Germany, and Haag A. Amper, Oberbayern, Germany, respectively, are residents of Germany and nationals of a designated enemy country (Germany),

3. That the property described as follows: Six hundred ninety-six (696) shares of no par value common capital stock of General Electric Company, 1 River Road, Schenectady, New York, a corporation organized under the laws of the State of New York, evidenced by the certificates listed below, registered in the names of and owned by the persons listed below in the amounts appearing opposite each name as follows:

Registered owner and certificate Nos.	Number of shares
Yoshikiyo Arimori, NYE-98068-----	40
Takasuki Takeshita, NYD-276419----	50
Chr. Mann, NYC-496952/7-----	1100
Miss Elsie Schneidt, NYD-202372----	6

¹ Shares each.

together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Yoshikiyo Arimori and Takasuki Takeshita, the aforesaid nationals of a designated enemy country (Japan) and Chr. Mann and Miss Elsie Schneidt, the aforesaid nationals of a designated enemy country (Germany),

and it is hereby determined:

4. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that the persons named in subparagraph 1 be treated as nationals of a designated enemy country (Japan) and the persons named in subparagraph 2 be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 22, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4097; Filed, Apr. 29, 1947;
8:50 a. m.]

[Vesting Order 8720]

DENGO NAKAYAMA

In re: Bonds owned by Dengo Nakayama, also known as D. Nakayama. D-39-840 and D-39-840-F-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dengo Nakayama, also known as D. Nakayama, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan)

2. That the property described as follows: Those certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, the aggregate maturity value of which amounts to \$3,000, registered in the name of Dengo Nakayama, presently in the control of George I. Nakayama, in safe deposit box No. 273 in the Bishop Trust Company, Limited, P. O. Box 2390, Honolulu, T. H., together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 14, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

EXHIBIT A

UNITED STATES DEFENSE BONDS OWNED BY
DENGO NAKAYAMA

Serial Number:	Denomination
D437580E	500
D437581E	500
D437582E	500
D437583E	500
D437584E	500
D437585E	500

Total 3,000

[F. R. Doc. 47-4094; Filed, Apr. 29, 1947;
8:49 a. m.]

[Vesting Order 8752]

TATSUJI TAKAHIRO

In re: Debt owing to Tatsuji Takahiro. F-39-4136-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Tatsuji Takahiro, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Tatsuji Takahiro, by the Superintendent of Banks of the State of New York, as Liquidator of the Business and Property in New York of The Yokohama Specie Bank, Ltd., 80 Spring Street, New York, New York, in the amount of \$261.46, as of December 31, 1945, arising out of an accepted account payable, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 16, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-4095; Filed, Apr. 29, 1947;
8:49 a. m.]

[Vesting Order 8773]

RIYE AND HATSUE ONISHI

In re: Bank account owned by Riye Onishi, also known as Rige Onishi and as Rie Onishi, and a bank account owned by Hatsue Onishi and Riye Onishi, also known as Rige Onishi and as Rie Onishi. D-39-326-E-1 and D-39-326-E-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hatsue Onishi and Riye Onishi, also known as Rige Onishi and as Rie Onishi, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan)

2. That the property described as follows:

a. That certain debt or other obligation of Bishop National Bank of Hawaii, King and Bishop Streets, Honolulu, T. H., arising out of a savings account, Account Number 47132, entitled Sadao Onishi, Trustee for Rige Onishi, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of American Savings and Loan Association, 915 Fort Street, Honolulu, T. H., arising out of a savings account, Account Number 2833, entitled Sadao Onishi, Trustee for Hatsue Onishi and Rie Onishi, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Hatsue Onishi and Riye Onishi, also known as Rige Onishi and Rie Onishi, the aforesaid nationals of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 18, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-4096; Filed, Apr. 29, 1947;
8:49 a. m.]

[Vesting Order 8780]

KIYOSHI TOGASAKI

In re: Stock owned by Kiyoshi Togasaki. F-39-3798-D-1 and F-39-3798-D-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kiyoshi Togasaki, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan).

2. That the property described as follows:

a. Three (3) shares of \$12.50 par value common capital stock of Bank of America National Trust & Savings Association, 300 Montgomery Street, San Francisco, California, a corporation organized under the laws of the State of California, evidenced by certificates numbered B46809 for 2 shares, and G55846 for 1 share, and registered in the name of Kiyoshi Togasaki, together with all declared and unpaid dividends thereon, and

b. Ten (10) shares of \$2.00 par value capital stock of Transamerica Corporation, 4 Columbus Avenue, San Francisco, California, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered SFR45920, and registered in the name of Kiyoshi Togasaki, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 22, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F. R. Doc. 47-4098; Filed, Apr. 29, 1947;
8:50 a. m.]

[Vesting Order CE 381]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN MASSACHUSETTS COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
Giuseppe Cifelli.....	Italy.....	Item 1 Estate of Mariangelo Cifelli, deceased, Norfolk County, Probate Court, Mass., No. 59133.	\$100.00
Antonio Gentile.....	do.....	Item 2 Estate of Agostino Gentile, deceased, Plymouth County, Probate Court, Plymouth, Mass., Probate No. 58328.	70.00
John Baptist Mortola, also known as Juanito Mortola.	do.....	Item 3 Estate of Amedeo Mortola, deceased, Essex County, Probate Court, Salem, Mass., No. 213351.	25.00
Lawrence Carbone.....	do.....	Item 4 Estate of Louis Carbone, deceased, Essex County, Mass., Probate Court, No. 209187.	74.00
Theresa Carbone.....	do.....	Item 5 Same.....	37.00
Children, names unknown, of Giovanni Carbone, deceased.	do.....	Item 6 Same.....	37.00

[F. R. Doc. 47-4101; Filed, Apr. 29, 1947; 8:50 a. m.]

[Vesting Order CE 382]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN OREGON, WASHINGTON, CALIFORNIA, COLORADO AND UTAH COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A.

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative

action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A,

Now, therefore, there is hereby vested in the Attorney General of the United States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said

actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6)

Executed at Washington, D. C., on April 24, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum stated
Efstathia Hronopoulos.....	Greece.....	<i>Item 1</i> Estate of James Koutsoulas, deceased, in the Circuit Court of the State of Oregon for the County of Multnomah, No. 40-143.	\$50.00
Lina Caramella.....	Italy.....	<i>Item 2</i> Estate of Julius Caramella, deceased, in the Circuit Court of the State of Oregon, County of Clackamas, No. 7251.	22.00
Armida Caramella.....	do.....	<i>Item 3</i> Same.....	22.00
Rosa Molinaro.....	do.....	<i>Item 4</i> Estate of Giuseppe Molinaro, also known as Giuseppe Molinaro, deceased, in the Circuit Court of the State of Oregon, for the County of Multnomah, No. 54-128.	60.00
Beatrice Mellott Pioda.....	do.....	<i>Item 5</i> Estate of George C. Mellott, deceased, in the Superior Court of the State of Washington, in and for the County of King, No. 8123.	45.00
Agostino Bolla.....	do.....	<i>Item 6</i> Estate of Angelo Bolla, deceased, in the Superior Court of the State of California, in and for the County of San Francisco, No. 47822.	24.00
Luigi Bolla.....	do.....	<i>Item 7</i> Same.....	24.00
Lorenzo Bolla.....	do.....	<i>Item 8</i> Same.....	24.00
Virginia Mattel.....	do.....	<i>Item 9</i> Estate of Joseph A. Mattel, deceased, in the County Court of the State of Colorado, in and for the City and County of Denver, No. 53697.	237.00
Lucia Di Guilio.....	do.....	<i>Item 10</i> Estate of Carmello Amleone, deceased, Third Judicial District Court, State of Utah, Salt Lake County.	23.00

[F. R. Doc. 47-4102; Filed, Apr. 29, 1947; 8:50 a. m.]

therein that he has exhausted every reasonable possibility of obtaining a qualified operator with the required experience. The requests received, even if couched in somewhat general terms, have been construed literally to mean that a complete and detailed search for operators at every recognized source within reasonable distance has been made without favorable result. As indicated below, a detailed statement will hereafter be required.

In many cases in which requests for waiver have been received, the application has not contained sufficient information to enable the Commission to take expeditious action, and delay has ensued. The Commission is presently studying the over-all situation with a view to taking such action of a general nature as may be appropriate. However, in order to avoid unnecessary delay on such interim requests for waiver as may be received, the Commission deems it advisable to make clear the procedure to be followed and the minimum information to be presented before action on an application can be taken.

In each case, the request for waiver should be submitted by the owner, charter party, or operating agent of the ship, and the procedure to be followed should be as follows: (1) Exhaust the sources, including appropriate local field engineering offices of the Federal Communications Commission; (2) submit directly to the Commission at Washington, D. C. a written request for waiver which specifies at least the following information: (a) name of ship and port of expected departure, (b) date and time of expected departure, (c) nature of cargo, (d) destination, (e) statement that all recognized sources of ship radio operators within a reasonable distance have been exhausted, including both all union and non-union sources, listing by name the sources contacted and including identification of the local Federal Communications Commission offices contacted, (f) name and description of qualifications of the radiotelegraph operator presently available and intended to be employed under the requested waiver.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-4036; Filed, Apr. 29, 1947; 8:46 a. m.]

[Docket No. 6551]

VARIOUS CLASSES OF NON-GOVERNMENT SERVICES IN RADIO SPECTRUM FROM 10 KC TO 30,000,000 KC

ALLOCATION OF FREQUENCIES

APRIL 14, 1947.

At a meeting of the Federal Communications Commission, held at its offices in Washington, D. C., on the 10th day of April 1947;

The Commission having under consideration the frequencies 27.185-27.455 megacycles heretofore designated for industrial, scientific, medical purposes, and

operators shall, in certain instances, have had at least six months previous experience as ship radio operators.

The Commission has been careful to assure itself, and will continue to do so, that every party who has or may hereafter request a waiver of the above-mentioned statutory safety requirement is fully cognizant of the responsibility he thereby assumes for the safety of the particular vessel on any voyage made as a result of any waiver granted. Because of the safety aspect, the Commission has required each applicant for a waiver to submit a written request and to specify

FEDERAL COMMUNICATIONS COMMISSION

EMPLOYMENT OF SHIP RADIO OPERATORS POSSESSING LESS THAN SIX MONTHS SHIP RADIO EXPERIENCE

STATEMENT REGARDING WAIVERS

APRIL 18, 1947.

The Commission has recently received several requests for individual waivers of the requirement of section 353 (b) of the Communications Act of 1934, as amended, that for safety purposes ship radio

that portion of the hearing and oral argument held on December 13 and 19, 1946, "In the Matter of Promulgation of Rules and Regulations Governing Medical Diathermy Equipment and Industrial Heating Equipment" (Docket No. 7858) concerning the advisability of allocating a wider band of frequencies in the 27 megacycle region of the spectrum for such purposes; and

The Commission also having under consideration its recommendation dated February 18, 1947, to the Department of State, for approval at the forthcoming Conference of the International Telecommunications Union that the frequency band 27.160-27.480 megacycles be made available for industrial, scientific, and medical uses and to the amateur, fixed, and mobile services, subject to interference from industrial, scientific or medical operation; and the fact that no objection from interested parties has been received by the Commission to its recommendation which was made after full opportunity for the submission of such objection; and

The Commission having determined that the public interest, convenience and necessity would be served by allocation for use in the United States by industrial, scientific and medical devices of the frequency band 27.160-27.480 mc as set forth in the proposal referred to above, with certain provision for use of such frequencies by the amateur, fixed and mobile services; and

The Commission having further determined that under the circumstances set forth above the said amendments should become effective immediately.

Now, therefore, *It is hereby ordered*, That the frequency allocation plan set out below for the frequency band 27.160-27.480 megacycles, be, and the same is hereby, adopted, effective immediately to supersede any plan heretofore adopted for the said frequency band or any portion thereof:

Band, Mc	U. S. Service-Allocation
27.160-27.430--	(a) Amateur. ¹
	(b) Industrial, scientific, Medical. ²
27.430-27.480--	(a) Fixed (non-Government). ¹
	(b) Industrial, scientific, medical. ²
	(c) Mobile (non-Government). ³

¹This service recognizes that interference to its operations within this band may result from the emissions on the frequency 27.320 Mc of industrial, scientific and medical devices.

²The frequency 27.320 Mc is designated for the operation of industrial, scientific and medical devices.

By direction of the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-4039; Filed, Apr. 29, 1947; 8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-200, G-207]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

NOTICE OF ORDER EXTENDING EMERGENCY SERVICE RULES AND REGULATIONS TO GOVERN DELIVERIES OF NATURAL GAS BY PANHANDLE EASTERN PIPE LINE COMPANY AS PERMITTED TO BECOME EFFECTIVE BY ORDER OF DECEMBER 12, 1946

APRIL 25, 1947.

City of Detroit, Michigan and County of Wayne, Michigan v. Panhandle Eastern Pipe Line Company and Michigan Gas Transmission Corporation, Docket No. G-200; Panhandle Eastern Pipe Line Company, Michigan Gas Transmission Corporation and Illinois Natural Gas Company, Docket No. G-207.

Notice is hereby given that, on April 24, 1947, the Federal Power Commission issued its order entered April 23, 1947, extending emergency service rules and regulations to govern deliveries of natural gas by Panhandle Eastern Pipe Line Company as permitted to become effective by order of December 12, 1946, in the above-designated matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-4085; Filed, Apr. 29, 1947; 8:54 a. m.]

[Docket No. G-654]

HOPE NATURAL GAS CO.

NOTICE OF ORDER DISMISSING APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY, AND FOR AUTHORITY TO ABANDON FACILITIES

APRIL 25, 1947.

Notice is hereby given that, on April 24, 1947, the Federal Power Commission issued its order entered April 22, 1947, dismissing application for certificate of public convenience and necessity, and for authority to abandon facilities in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-4084; Filed, Apr. 29, 1947; 8:54 a. m.]

[Docket No. G-840]

CITIES SERVICE GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

APRIL 25, 1947.

Notice is hereby given that, on April 25, 1947, the Federal Power Commission issued its findings and order entered April 23, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-4082; Filed, Apr. 29, 1947; 8:54 a. m.]

[Docket No. G-848]

CITIES SERVICE GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY AND PERMITTING ABANDONMENT

APRIL 25, 1947.

Notice is hereby given that, on April 25, 1947, the Federal Power Commission issued its findings and order entered April 23, 1947, issuing certificate of public convenience and necessity and permitting abandonment in the above-designated matter.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-4083; Filed, Apr. 29, 1947; 8:54 a. m.]

FEDERAL TRADE COMMISSION

[Docket No. 5455]

W. L. ABT

ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of April A. D. 1947.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Everett F. Haycraft, a Trial Examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Wednesday, May 21, 1947, at ten o'clock in the forenoon of that day (eastern standard time), in Room 505, 45 Broadway, New York, New York.

Upon the completion of the taking of testimony and the receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondent. The Trial Examiner will then close the taking of testimony and evidence and, after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 47-4086; Filed, Apr. 29, 1947; 8:54 a. m.]

[Docket No. 5006]

LOS ANGELES PHARMACAL CO., AND HIDALGO
PHARMACY

ORDER APPOINTING TRIAL EXAMINER AND
FIXING TIME AND PLACE FOR TAKING TESTI-
MONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 21st day of April A. D. 1947.

In the matter of Robert Salazar, an individual trading and doing business as Los Angeles Pharmacal Company, and Hidalgo Pharmacy.

This matter being at issue and ready for the taking of testimony and the receipt of evidence, and pursuant to authority vested in the Federal Trade Commission,

It is ordered, That Everett F. Haycraft, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony and the receipt of evidence begin on Thursday, May 15, 1947, at ten o'clock in the forenoon of that day (eastern standard time), in Room 332, Federal Trade Commission Building, Washington, D. C.

Upon the completion of the taking of testimony and the receipt of evidence in support of the allegations of the complaint, the Trial Examiner is directed to proceed immediately to take testimony and receive evidence on behalf of

the respondents. The Trial Examiner will then close the taking of testimony and evidence, and after all intervening procedure as required by law, will close the case and make and serve on the parties at issue a recommended decision which shall include recommended findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and an appropriate recommended order; all of which shall become a part of the record in said proceeding.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 47-4037; Filed, Apr. 29, 1947;
8:54 a. m.]

